

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

HSBC BANK USA, NATIONAL
ASSOCIATION,

Plaintiff

v.

FIDELITY NATIONAL TITLE GROUP,
INC., et al.,

Defendants

Case No.: 2:21-cv-01300-APG-NJK

**Order Denying Motion to Stay, Denying
Motion to Supplement, and Denying as
Moot Motion to Strike**

[ECF Nos. 6, 44, 45]

Defendants Fidelity National Title Group, Inc., Chicago Title Insurance Company, and Ticor Title Agency of Nevada, Inc. moved to stay the case pending the Ninth Circuit's ruling on *Wells Fargo Bank, N.A. v. Fidelity National Title Ins. Co.*, case number 19-17332. ECF No. 5. While the motion was pending, the Ninth Circuit issued its ruling in that case and the mandate has issued. I therefore deny the motion to stay as moot.

The defendants thereafter filed a supplemental motion to stay the case, this time based on a similar case pending before the Supreme Court of Nevada, *PennyMac Corporation v. Westcor Land Title Insurance Company*, case number 83737. ECF No. 44. Plaintiff HSBC Bank USA moves to strike the supplemental motion as not compliant with the Local Rules. ECF No. 45.

I deny the supplemental motion to stay. *See Lockyer v. Mirant Corp.*, 398 F.3d 1098, 1110 (9th Cir. 2005); *Landis v. N. Am. Co.*, 299 U.S. 248, 254-55 (1936). The opening brief in the case before the Supreme Court of Nevada is not due for another 60 days. Thus, it is likely a stay would be lengthy while the briefing is completed, the matter is set for oral argument, and a decision is rendered.

1 The more expeditious, efficient, and just resolution of this case counsels in favor of
2 completing discovery rather than staying the case entirely. There currently is no scheduling
3 order in this case, so there is no deadline to file dispositive motions. *See* ECF No. 36. While the
4 parties may want to revisit a stipulation to stay once dispositive motions are due depending on
5 the progress of *PennyMac* before the Supreme Court of Nevada at that point, a complete stay of
6 the case at this time is unwarranted. Because I deny the supplemental motion to stay, I deny the
7 motion to strike as moot.

8 I THEREFORE ORDER that the defendants' motion to stay (ECF No. 6) is **DENIED**.

9 I FURTHER ORDER that the defendants' supplemental motion to stay (ECF No. 44) is
10 **DENIED**.

11 I FURTHER ORDER that the plaintiff's motion to strike (ECF No. 45) is **DENIED as**
12 **moot**.

13 DATED this 13th day of January, 2022.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE